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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Daniel Putterman

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EXAMINER

SALCE, JASON P

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 08/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/910,316

Applicant(s)

PUTTERMAN ET AL.

Examiner

Jason P. Salce

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 85-93 and 101-111 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 85-93 and 101-111 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 7/7/2006 have been fully considered but they are not persuasive.

The amended claim limitations still read on the prior art of record (see rejection below).

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 101 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Applicant has amended the claims to recite that the control and acquisition set-top box runs, "*at least one of a plurality of media applications on a client device on said type of digital data content object*". The examiner notes that on Paragraphs 0033-0037 and 0040-0041, the specification states that the acquisition set top box 220 only acquires content objects from multiple devices attached to the bus 200 and does not teach running a media application on one of the attached client devices. Although the

specification fails to teach this limitation, the examiner notes that it is well known in the art for client device applications to be controlled by a master device in a home network, by the use of API or any other type of software level interface for devices (for example Sony's HAVI home network systems). Therefore, in order to expedite the prosecution of the instant application, the examiner will reject the claims as written and will take Official Notice to the fact of "*running at least one of a plurality of media applications on a client device on said type of digital data content object*" (see rejection below).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 85-87, 93, 104-106 and 108-110 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Iwamura (U.S. Patent No. 5,883,621).

Referring to claim 85, Iwamura discloses a home media system (see Figure 1).

Iwamura also discloses that the home media system includes a network (see Column 3, Lines 20-21 and Figure 1 for IEEE 1394 digital network 10).

Iwamura also discloses that the home media system also comprises an acquisition storage set-top box (see DVCR1 108 in Figure 1), coupled to said network (see DVCR1 108 coupled to the IEEE 1394 network 10 in Figure 1 and further note that all cables 114-114d are IEEE 1394 compliant), for storing at least one digital data

content object (see Figure 10 and Column 8, Lines 18-32 for recording a digital data content object from a DVD to a DVCR1, therefore the DVCR1 acquires and stores a digital data content object stored on a DVD). The examiner also notes that the DVCR1 could also record incoming digital broadcasts from IRD 100.

Iwamura also discloses that the home media system also comprises a control/playback set-top box (see IRD 100 in Figure 1), coupled to said network (see IRD 100 coupled to IEEE 1394 network 10 in Figure 1), comprising a media playback module (see Figure 2a for the main block 208 of IRD 100 comprising OSD (on-screen display shown in the main block 208 in Figure 2b), which allows the viewer to choose the DVCR1 for playing back the digital data content object (see Figure 12 and Column 8, Lines 57-65 for selecting using the OSD)) and a media control module (see PHY 224 and LINK 222 in Figure 2a, which make up the IEEE 1394 bus interface of IRD 100), said media control module comprising an applications module (see processor 312 in Figure 2a connected to RAM 304, which inherently comprises the software application needed to run the entire IRD 100 system) for accessing, across said network, at least one digital data content object from said acquisition storage set-top box (see Figure 12, Column 8, Lines 57-65 and Column 4, Lines 41-54 for transferring the digital data content object from the DVCR1 to the IRD 100 through IEEE 1394 network 10), and for running at least one media application that provides functionality, through a user interface, to play media (see Figure 6 for running the graphical user interface to play media), said media playback module (main block 208 in Figure 2a) comprising a decoder for decoding media comprised in said digital data content object (see Figure 2b

and Column 4, Lines 17-21 for the main block 208 of IRD 100 also containing an MPEG video decoder for decoding said digital data content objects into video signals).

Iwamura also discloses a client device (see TV 102 in Figure 1), coupled to said control/playback set-top box (see Figure 1 for TV 102 coupled to IRD 100), for displaying said user interface for said media application and for playing said media comprised in said digital data content object (see Column 4, Lines 21-22 for the TV 102 receiving and play the video signals from IRD 100).

Referring to claim 86, Iwamura discloses that said acquisition set-top box further acquires said digital data content object external to said network (see Figure 2a and Column 3, Line 66 through Column 4, Lines 9 for the IRD 100 receiving digital data content objects from a satellite broadcast 200).

Referring to claim 87, Iwamura discloses that the decoder comprises an MPEG decoder (see again MPEG video decoder 326 in Figure 2b).

Referring to claim 93, Iwamura discloses that the home media system further comprises a digital device (see MD recorder 110, DVD Player 106 or DVCR2 112 in Figure 1) for accessing digital data stored on a digital medium (note that any of the digital devices mentioned above acquires digital data from a digital medium, such as a DVD, MD or storage device accessed by DVCR2) and a device interface, coupled to said digital device, for decoding said digital data (note that any of the digital devices

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mentioned above contain circuitry that decodes the data on the digital medium in order for proper transmission over a 1394 network cable) and for transmitting said digital data one said network (note that of the devices contain IEEE 1394 bus interfaces used to transmit the digital data content objects over the 1394 network cables). The examiner notes that the interpretation of the additionally digital device and device interface is consistent with the Applicant's specification (see Paragraph 0039).

Referring to claims 104-105, see Figure 6 for accessing a mini-disc player (for audio files) and a DVCR1 (for video files).

Referring to claim 106, see the rejection of claims 85.

Referring to claims 108-109, see the rejection of claims 104-105, respectively.

Referring to claim 110, see the rejection of claim 86.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 101-102 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwamura (U.S. Patent No. 5,883,621).

Referring to claim 101, Iwamura discloses a home media system (see Figure 1).

Iwamura also discloses that the home media system includes a network (see Column 3, Lines 20-21 and Figure 1 for IEEE 1394 digital network 10).

Iwamura also discloses that the home media system also comprises a control and acquisition storage set-top box (see DVCR1 108 in Figure 1), coupled to said network (see DVCR1 108 coupled to the IEEE 1394 network 10 in Figure 1 and further note that all cables 114-114d are IEEE 1394 compliant), for storing a plurality of different types of digital data content objects for accessing, for transmission on said network, at least one type of said digital data content object (see Figure 10 and Column 8, Lines 18-32 for recording a digital data content object from a DVD (or DVCR2) to a DVCR1, therefore the DVCR1 acquires and stores a digital data content object stored on a DVD as well as a DVCR2, thereby teaching two different types of content objects). Also note that said control and acquisition storage set top box comprises a media control module (see again Column 8, Lines 18-32 and note that since the DVCR1 contains the functionality to control media stored, then the DVCR1 inherently contains the software needed to perform such functionality). The examiner also notes that the DVCR1 can also record incoming digital broadcasts from IRD 100.

Iwamura also discloses that the home media system also comprises a control/playback set-top box (see IRD 100 in Figure 1), coupled to said network (see IRD 100 coupled to IEEE 1394 network 10 in Figure 1), comprising a media playback module (see Figure 2a for the main block 208 of IRD 100 comprising OSD (on-screen display shown in the main block 208 in Figure 2b), which allows the viewer to choose



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the DVCR1 for playing back the digital data content object (see Figure 12 and Column 8, Lines 57-65 for selecting using the OSD)), said playback set top box (main block 208 in Figure 2a) comprising a decoder for decoding media comprised in said digital data content object (see Figure 2b and Column 4, Lines 17-21 for the main block 208 of IRD 100 also containing an MPEG video decoder for decoding said digital data content objects into video signals).

Iwamura also discloses a client device (see TV 102 in Figure 1), coupled to said control/playback set-top box (see Figure 1 for TV 102 coupled to IRD 100), for displaying said user interface for said media application and for playing said media comprised in said digital data content object (see Column 4, Lines 21-22 for the TV 102 receiving and play the video signals from IRD 100).

As stated above, although rejection under 112 1<sup>st</sup> paragraph, Iwamura fails to teach, "*running at least one of a plurality of media applications **on a client device on said type of digital data content object***". Although the specification fails to teach this limitation, the examiner takes Official Notice that it is well known in the art for client device applications to be controlled by a master device in a home network, by the use of API or any other type of software level interface for devices (for example Sony's HAVI home network systems).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the home network system components, as taught by Iwamura, to utilize an API on each component for the purpose of providing an easy to use software interface to provide interoperability between multiple devices.

Claim 102 corresponds to claim 101, where Iwamura discloses that said acquisition set-top box further acquires said digital data content object external to said network (see Figure 2a and Column 3, Line 66 through Column 4, Lines 9 for the IRD 100 receiving digital data content objects from a satellite broadcast 200).

5. Claims 88-89, 91 and 111 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwamura (U.S. Patent No. 5,883,621) in view of Mano et al. (U.S. Patent No. 5,793,366).

Referring to claim 88, Iwamura discloses all of the limitations of claim 85, but fails to teach that the acquisition set-top box comprises a personal computer.

Mano discloses that a personal computer can be used in an IEEE 1394 home network system, similar to Iwamura (see computer 18 in Figure 1). The personal computer 18 controls the OSD/GUI (graphical user interface 10), which allows a user to playback media from other digital devices (see Column 4, Lines 35-56).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the control/playback set-top box, as taught by Iwamura, using the personal computer, as taught by Mano, for the purpose of providing a control device and interface that allows the user to control a variety of devices from a common source using a common control interface (see Column 2, Lines 50-52 of Mano).

Referring to claim 89, Iwamura discloses all of the limitations in claim 85, as well as circuitry to process the video signals (see Figure 2b), but is silent about the control/playback set-top box comprises a frame buffer.

Mano discloses that the circuitry used to produce the OSD/GUI contains a video memory 403 (frame buffer) in Figure 5 and Column 8, Lines 1-23.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the control/playback set-top box, as taught by Iwamura, using the video memory 403, as taught by Mano, for the purpose of increasing the processing performance of the home network system.

Referring to claim 91, see the rejection of claim 88, and further note that Mano discloses that the personal computer organizes a plurality of digital data content objects stored on said acquisition storage set-top box (see Figures 1 and 3 and Column 7, Lines 15-34 for the personal computer generating a GUI, which can access and organize/edit the data stored on a DVCR 30 or the digital camcorder 40). Also note Column 4, Lines 20-22 for the GUI being able to control all of the devices.

Referring to claim 111, see the rejection of claim 88.

6. Claims 90, 103 and 107 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwamura (U.S. Patent No. 5,883,621) in view of Dara-Abrams et al. (U.S. Patent No. 6,826, 512).

Referring to claim 90, Iwamura discloses all of the limitations of claim 85, but fails to teach that the home media system further comprises a PDA for receiving user input to control said control/playback set-top box.

Dara-Abrams discloses a gateway device 14, which can be a PDA (see Column 3, Lines 53-56) in a home media system (see Figure 2), which controls audio/video content to be transferred between multiple electronic devices 30, which includes a control/playback set-top box (see set-top box 58 in Figure 2).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the home media system, as taught by Iwamura, to utilize the PDA/gateway device, as taught by Dara-Abrams, for the purpose of providing a diversity of additional different consumer electronic devices commonly found in the average home (see Column 1, Lines 15-16 of Dara-Abrams).

Referring to claim 103, Iwamura discloses all of the limitations in claims 85, but fails to teach that said media application comprises a photo application for viewing digital data content objects comprising digital photo files.

Dara-Abrams discloses the use of a digital camera in a home network system to provide digital photo content objects (see Column 6, Lines 30-34).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the home media system, as taught by Iwamura, to utilize the digital camera to provide photo content objects, as taught by Dara-Abrams, for the purpose of providing a diversity of additional different consumer electronic

devices commonly found in the average home (see Column 1, Lines 15-16 of Dara-Abrams).

Referring to claim 107, see the rejection of claim 103.

7. Claim 92 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iwamura (U.S. Patent No. 5,883,621) in view of Humpleman et al. (U.S. Patent No. 6,182,094).

Referring to claim 92, Iwamura discloses all of the limitations in claim 85, but fails to teach that the control/playback set-top box identifies said user and restricts access to digital content objects based on said user.

Humpleman discloses identifying a user and restricting access to digital data content objects based on said user (see Column 20, Lines 52-56).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the home network IRD 100, as taught by Iwamura, to include the security mechanism, taught by Humpleman, for the purpose of avoiding potential security access issues (see Column 20, Lines 52-53 of Humpleman).

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Salce whose telephone number is (571) 272-7301. The examiner can normally be reached on M-F 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason P Salce  
Primary Examiner

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August 10, 2006

Jason  
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